

## NURSING BOARD[655]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 17A.3 and 147.76, the Board of Nursing hereby gives Notice of Intended Action to amend Chapter 16, "Nurse Licensure Compact," Iowa Administrative Code.

These amendments identify additional documents to be used to support declaration of residency. In addition, the amendments provide for issuance of a multistate license for a nurse working on a visa and provide for license limitations for a disciplined licensee.

Any interested person may make written comments or suggestions on the proposed amendments on or before February 3, 2009. Such written materials should be directed to the Executive Director, Iowa Board of Nursing, RiverPoint Business Park, 400 S.W. 8th Street, Suite B, Des Moines, Iowa 50309-4685. Persons who wish to convey their views orally should contact the Executive Director at (515)281-3256 or in the Board office at 400 S.W. 8th Street by appointment.

These amendments are intended to implement Iowa Code chapter 152E.

The following amendments are proposed.

ITEM 1. Amend paragraph **16.2(2)"d"** as follows:

*d.* Military Form ~~DD No. 2058; — State of Legal Residence Certificate, or military Form DFAS 702, Defense Finance and Accounting Service Military Leave and Earnings Statement.~~

ITEM 2. Adopt the following **new** paragraph **16.2(2)"e"**:

*e.* A W-2 from the U.S. government or any bureau, division or agency thereof indicating the declared state of residence.

ITEM 3. Renumber subrules **16.2(3)** to **16.2(6)** as **16.2(6)** to **16.2(9)**.

ITEM 4. Adopt the following **new** subrules 16.2(3) to 16.2(5):

**16.2(3)** A nurse on a visa from another country applying for licensure in a party state may declare either the country of origin or the party state as the primary state of residence. If the foreign country is declared the primary state of residence, a single-state license will be issued by the party state.

**16.2(4)** A license issued by a party state is valid for practice in all other party states unless clearly designated as valid only in the state that issued the license.

**16.2(5)** When a party state issues a license authorizing practice only in that state and not authorizing practice in other party states (i.e., a single-state license), the license shall be clearly marked with words indicating that it is valid only in the state of issuance.

ITEM 5. Amend rule 655—16.3(152E) as follows:

**655—16.3(152E) Limitations on multistate licensure privilege—discipline.**

**16.3(1)** All home state board disciplinary orders, agreed or otherwise, which limit the scope of the licensee's practice or require monitoring of the licensee as a condition of the order shall include the requirement that the licensee will limit the licensee's practice to the home state during the pendency of the order. This requirement may allow the licensee to practice in other party states with prior written authorization from both the home state and party state boards.

**16.3(2)** An individual who held a license that was surrendered, revoked, or suspended or an application that was denied for cause in a prior state of primary residence may be issued a single-state license in a new primary state of residence until such time as the individual would be eligible for an

unrestricted license by the prior state(s) of adverse action. Once an individual is eligible for licensure in the prior state(s), a multistate license may be issued.

ITEM 6. Amend ~~655~~—**Chapter 16**, implementation sentence, as follows:

These rules are intended to implement ~~2000 Iowa Acts, House File 2105~~ Iowa Code chapter 152E.